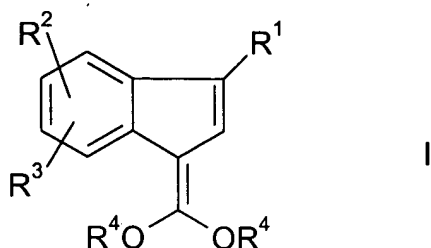
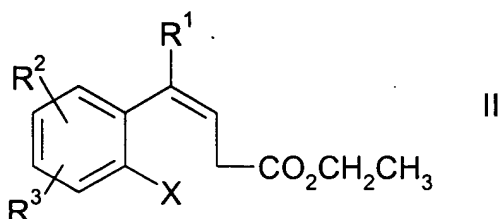


**IN THE CLAIMS (37 CFR 1.121 Revised)**

1. (Currently Amended) A improved process for preparing a compound of the formula



which comprises (a) conducting a solvent-free reaction between a compound of formula



and a monohydric alcohol of formula  $R^4$  OH wherein  $R^4$  is  $C_1$  to  $C_6$  alkyl or a dihydric alcohol wherein said dihydric alcohol is selected from the group consisting of ethylene glycol, 1,3-propylene glycol, and 1,2-propylene glycol, in the presence of sulfuric acid; and

(b) treating the reaction product with a base and water to neutralize residual sulfuric acid;

wherein  $R^1$  is an electron withdrawing group selected from the group consisting of cyano, alkoxy-carboxyl, alkyl-carbonyl, aryl, nitro, trifluoromethyl, and sulfonyl;

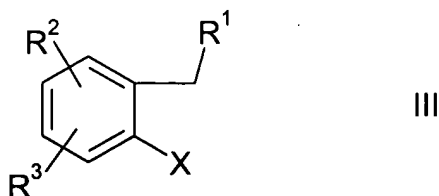
$R^2$  and  $R^3$  are selected independently from hydrogen,  $C_1$ - $C_5$  alkyl,  $C_1$ - $C_5$  alkoxy, trifluoromethyl, halogen, sulfonyl alkyl, alkyamino, amide, ester, aryl-alkyl, ~~[[hetero-alkyl]]~~ and ~~[[aryl-alkoxy]]~~ aryl-alkoxy;

or  $R^2$  and  $R^3$  together with the carbon atoms to which they are attached form a monocyclic or bicyclic ring;

and X is selected from the group consisting of chlorine, bromine, and iodine.

2. (Cancelled)

3. (Currently Amended) The process according to claim 1 wherein said compound of formula II is prepared by (a) reacting a compound of formula III



with ethyl 3-ethoxyacrylate in the presence of a metal catalyst and an inert water miscible solvent and (b) completely removing said solvent upon completion of said reaction; wherein

R<sup>1</sup> is an electron withdrawing group selected from the group consisting of cyano, alkoxycarboxyl, alkylcarbonyl, arylcarbonyl, aryl, nitro, trifluoromethyl, and sulfonyl; and X is selected from the group consisting of chlorine, bromine, and iodine; and

R<sup>2</sup> and R<sup>3</sup> are selected independently from hydrogen, C<sub>1</sub> to C<sub>5</sub> alkyl, C<sub>1</sub> to C<sub>5</sub> alkoxy, trifluoromethyl, halogen, sulfonyl alkyl, alkyamino, amide, ester, aryl-alkyl, ~~[[hetero-alkyl]]~~ and aryl-alkoxy;

or R<sup>2</sup> and R<sup>3</sup> together with carbon atoms to which they are attached form a monocyclic or bicyclic ring.

4. (Original) The process according to claim 3 wherein said catalyst is a mixture of palladium II acetate, tricyclohexylphosphine, and a base.

5. (Original) The process according to claim 3 wherein said solvent is removed by distillation.

6. (Currently Amended) The process according to claim ~~[[2]]~~ 3 wherein said alcohol is a dihydric alcohol selected from the group consisting of ethylene glycol, 1,3-propylene glycol, and 1,2-propylene glycol.

7. (Original) The process according to claim 6 wherein said dihydric alcohol is ethylene glycol.

8. (Original) The process of claim 3 wherein said inert water miscible solvent is selected from the group consisting of tetrahydrofuran, 2-methyltetrahydrofuran, and 1,2- dimethoxy ethane.

9. (Original) The process according to claim 8 wherein said inert water miscible organic solvent is tetrahydrofuran.

10. (Original) The process according to claim 1 wherein said base is ammonium hydroxide.

11. (Original) The process according to claim 1 wherein the compound of the formula I is 3-[1,3] dioxolan-2-yliden-3H-indene-1-carbonitrile.

12. (Original) The process according to claim 4 wherein said base is an alkoxide of a Group I metal.

13. (Original) The process according to claim 12, wherein said base is sodium t-butoxide.

14. (New) The process according to claim 1 wherein said dihydric alcohol is ethylene glycol and said base is ammonium hydroxide.

15. (New) The process according to claim 14 wherein said compound of formula I is 3-[1,3] dioxolan-2-yliden-3H-indene-1-carbonitrile.

16. (New) The process according to claim 3 wherein said catalyst is a mixture of palladium II acetate, tricyclohexylphosphine, and a sodium t-butoxide, said inert miscible solvent is tetrahydrofuran; and wherein said alcohol is a dihydric alcohol selected from ethylene glycol.

17. (New) The process according to claim 16 wherein said compound of formula I is 3-[1,3] dioxolan-2-yliden-3H-indene-1-carbonitrile.